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## **TRANSMITTAL FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

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|---------------------------|--------------------------------------|--|--|
| Application Number        | 09/671,540                           |  |  |
| Filing Date               | September 27, 2000                   |  |  |
| First Named Inventor      | Timothy W. King                      |  |  |
| Group Art Unit            | 1615                                 |  |  |
| Examiner Name             | A. Pullium                           |  |  |
| Attorney Docket<br>Number | 121117-1000                          |  |  |

| ENCLOSURES (check all that apply)   |              |   |       |   |  |  |
|---|--------------|---|-------|---|--|--|
| Fee Transmittal Form  |              | Drawing(s)                                  |       | After Allowance Communication to TC   |  |  |
| Fee Attached  |              | Licensing-related Page 1                    | apers | Appeal Communication to Board   |  |  |
| Amendment/Reply   |              | Petition                                    |       | of Appeals and Interferences  |  |  |
| After Final Affidavits/declaration  | ı(s)         | Petition to Convert                         | tion  | Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  Proprietary Information |  |  |
| Extension of Time Reque   | et           | Power of Attorney, Change of Correspondence |       |   |  |  |
|   |              | Terminal Disclaime                          | ,     | Status Letter   |  |  |
| Express Abandonment Ro  | •            | Request for Refund                          |       | Other Enclosure(s) (please identify below):   |  |  |
| Information Disclosure St   | atement      | CD, Number of CD(                           | (e)   | Return Receipt Postcard   |  |  |
| Certified Copy of Priority Document(s)  |              | Landscape Ta                                |       |   |  |  |
| Response to Missing Part Incomplete Application   | ts/          |   |       |   |  |  |
| Response to Missing under 37 CFR 1.52 o   |              | Remarks                                     |       |   |  |  |
|   |              |   |       |   |  |  |
|   |              |   |       |   |  |  |
| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT  |              |   |       |   |  |  |
| Firm<br>Or<br>Individual Name   | Monique A. \ | ander Molen, Reg. No. 53                    | ,716  |   |  |  |
| Signature Mongine a. Varde Mol  |              |   |       |   |  |  |
| Date  |              | ecember 17, 2004                            |       |   |  |  |
| CERTIFICATE OF MAILING  |              |   |       |   |  |  |
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. |              |   |       |   |  |  |
| Typed or Printed Name   | Stella E. La |   |       |   |  |  |
| Signature   | Su           | the Car                                     | Date  | 12-17-04  |  |  |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P. O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Attorney Docket No. 121117-1000

Patent Application No.: 09/671,540 Amendment dated December 17, 2004 Response to Office Action dated October 18, 2004

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

Timothy W. King and Charles W. Patrick

Application No.:

09/671,540

Group Art Unit:

1615

Examiner:

Amy E. Pulliam

Date Filed:

September 27, 2000

Title:

COMPOSITIONS AND METHODS FOR BIODEGRADABLE

MICROSPHERES AS CARRIERS OF BIOACTIVE SUBSTANCES

## Certificate of Mailing Under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope, with sufficient postage, addressed to: MAIL STOP: Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 17th day of December, 2004, by Stella E.

Mail Stop: Amendment Commissioner for Patents P.O. Box 1450

Alexandria, VA 22313-1450

Signature

## **AMENDMENT**

Dear Sir:

Applicants submit this Amendment and response to the non-final Office Action dated October 18, 2004. Applicant also thanks the Examiner for allowing pending Claims 1-18 and 23-39 and for stating that such claims are distinguishable from the prior art of record.

In response to the Office Action, please amend the above-identified Application as follows:

Amendments to the Claims are reflected in the Listing of Claims beginning on page two (2) of this paper; and

Remarks beginning on page nine (9) of this paper.